

Docket No. 2000-160

July 18, 2000

S.D. WARREN COMPANY
Request for Commission Investigation And
Temporary Order Regarding Central Maine
Power Company's Refusal to Permit S.D. Warren's
Westbrook Facility to Service S.D. Warren's
Somerset Facility

ORDER DISMISSING
PROCEEDING

WELCH, Chairman: NUGENT and DIAMOND, Commissioners

Through this Order, we dismiss this proceeding without prejudice.

On February 25, 2000, S.D. Warren Company filed a request for a Commission investigation regarding Central Maine Power Company's refusal to allow S.D. Warren's Westbrook facility to serve S.D. Warren's Somerset facility.

On May 30, 2000, S.D. Warren filed a motion to dismiss this matter, stating that ISO-NE requirements would make the transfer of power from the Westbrook facility to the Somerset mill uneconomic. Additionally, S.D. Warren has contracted to sell the Westbrook output to a third party for a one-year period, thus eliminating the immediate need to resolve the issues raised in this proceeding. S.D. Warren states that the other parties to this proceeding have no objection to a dismissal without prejudice.

For good cause shown, this proceeding is dismissed without prejudice pursuant to Chapter 110 § 745 of our rules.

Dated at Augusta, Maine, this 18th day of July, 2000.

BY ORDER OF THE COMMISSION

Raymond J. Robichaud
Acting Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.